

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JIANHU YI, et al.,

Plaintiffs,

-against-

GTV MEDIA GROUP, INC., et al.,

Defendants.

21-CV-2669 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

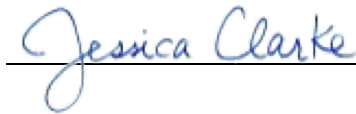
On September 14, 2023, the Court held a conference with the parties to discuss the status of the case. The Court directed the parties to file a stipulation of dismissal by September 29, 2023. The parties did not do so. The Court then issued an order to show cause as to why the Court should not dismiss the case. ECF No. 89. On October 9, 2023, Plaintiffs filed a letter explanation. ECF No. 90. Subsequently, the Court directed the parties to file a stipulation of dismissal by October 16, 2023. The parties did not do so. On October 18, 2023 the Court again issued an order to show cause as to why the Court should not dismiss the case. ECF No. 91. The parties requested a conference. ECF No. 92. On October 23, 2023, the Court ordered the parties to submit a letter on or before October 27, 2023 setting out the parties' dispute that served the basis of their request for a conference. ECF No. 93. The parties did not do so. On October 30, 2023, the Court once again issued an order to show cause as to why the Court should not dismiss the case, warning that if the parties did not do so, the Court would dismiss the Complaint. ECF No. 94. The parties have not done so.

Rule 41(b) of the Federal Rules of Civil Procedure provides that a district court may dismiss an action if "the plaintiff fails to prosecute or otherwise comply with [the] rules or a court order." Fed. R. Civ. P. 41(b); *see also Baptiste v. Sommers*, 768 F.3d 212, 216 (2d Cir.

2014). Under Rule 41(b), a district court may dismiss an action *sua sponte* for failure to prosecute after notifying the plaintiff. *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001). Because the Court has not received any response from Plaintiffs, including any indication that they intend to pursue this case, the instant action is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). The Clerk of Court is respectfully directed to terminate all pending motions and close the case.

Dated: November 1, 2023
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge